

# CLAIMS RESOLUTION TRIBUNAL

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In re Holocaust Victim Assets Litigation  
Case No. CV96-4849

## **Certified Denial**

to Claimant [REDACTED]

**in re Account of Heinrich Schloss  
(Power of Attorney Holder Martha Schloss)<sup>1</sup>**

Claim Number: 206210/MG<sup>2</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to accounts of Martha Schlosser (or Schloss), Rudolf Schlosser (or Schloss), Christiene Schlosser (or Schloss) and Helmut Schlosser (or Schloss). The CRT did not locate an account belonging to Martha Schlosser (or Schloss), Rudolf Schlosser (or Schloss), Christiene Schlosser (or Schloss) or Helmut Schlosser (or Schloss) in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”). This Denial is to the published account of Heinrich Schloss (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published, but where a claimant has requested confidentiality, as in this case, the names of the claimant, any relatives of the claimant other than the account owner, and the bank have been redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form asserting that his mother, Martha Hildegard Schlosser (Schloss), née Fritsch, who was born on 5 July 1903, and was married to [REDACTED] (Schloss) on 16 February 1926 in Teplitz, Czechoslovakia, owned a Swiss bank account. The Claimant stated that his father, [REDACTED], was a factory owner in Graupen, Czechoslovakia. The Claimant further stated that his father, who was part Jewish, was interned by the Nazis between 1943 and 1945. According to the Claimant his parents resided after 1945 in Munich, Germany, where his father died in 1964 and his mother died in 1993. The Claimant indicated that he was born on 11 July 1930 in Teplitz, Czechoslovakia.

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<sup>1</sup> In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ or power of attorney holders’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account and even if the Claimant could not identify the owner of the account as his relative.

<sup>2</sup> The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 206210.

The Claimant submitted documents in support of his application, including an inheritance document indicating his mother's name, Martha Hildegard Schlosser, née Fritsch.

### **Information Available in the Bank's Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Martha Hildegard Schlosser (Schloss). The auditors who carried out the ICEP Investigation reported one account whose power of attorney holder's name matches the first and alternative last name provided by the Claimant. The account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

#### Account 5034236

The Bank's records indicate that the Account Owner was Heinrich Schloss, who resided in Offenbach, Germany, and that the Power of Attorney Holder was Martha Schloss. The Bank's records also indicate the Account Owner's street address, and the Power of Attorney Holder's country and city of residence, street address, and maiden name. Furthermore, the Bank's records indicate the date on which the power of attorney form was signed. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holder's signatures.

### **The CRT's Analysis**

#### Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of the Rules.

#### Identification of the Account Owner and the Power of Attorney Holder

The CRT concludes that the Claimant has not identified Power of Attorney Holder Martha Schloss as his relative. Although the alternative name of his mother matches the published name of the Power of Attorney Holder, the information provided by the Claimant differs materially from the unpublished information about the Power of Attorney Holder available in the Bank's records. Specifically, The Claimant stated that his mother's maiden name was Fritsch. In contrast, the Bank's records show that the Power of Attorney Holder had a different maiden name. Moreover, the Claimant stated that his parents resided in Teplitz, Czechoslovakia, and from 1945 onwards in Munich, Germany. In contrast, the Bank's records show that the Power of Attorney Holder resided in a different city, which is more than 300 kilometers from either Teplitz or Munich. In addition, the CRT notes that the Claimant did not identify the Account Owner as his relative. Consequently, the CRT is unable to conclude that the Power of Attorney Holder and the Claimant's mother are the same person.

### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant may appeal this Denial to the Court through the Special Masters within ninety (90) days of the date of the letter accompanying this decision. Appeals should be delivered to the following address: Office of the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

The Claimant should send appeals in writing to the above address and should include all reasons for the appeal. If more than one account has been denied in this Certified Denial, the Claimant should identify the Account Identification Number that forms the basis of the appeal. Appeals submitted without either a plausible suggestion of error or relevant new evidence may be summarily denied.

### **Scope of the Denial**

The Claimant should be aware that the CRT will carry out further research on his claim to determine whether an award may be made based upon the information provided by the Claimant or upon information from other sources.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
10 December 2004